

Wetlands Bureau Decision Report

Decisions Taken
07/11/2005 to 07/17/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00645 WINNIPESAUKEE BEACH COLONY CLUB ASSOC INC
MEREDITH Lake Winnepesaukee

Requested Action:

Appellant requests reconsideration based on possible adverse impacts to property rights.

Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

DENY RECONSIDERATION:

Deny reconsideration as untimely.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10, II Appeals, "a request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order."
2. By statute, the Department has no discretion to waive or extend this deadline.

Findings of Fact

3. The Department issued its decision to approve the applicant's request to reconfigure an existing major docking facility by way of a letter dated December 6, 2004 and mailed on December 7, 2004.
4. The deadline to make a request for reconsideration of the Department's decision was December 26, 2004.
5. The Motion for Reconsideration, dated June 29, 2005 was received by the Department on June 29, 2005, 206 days after the issuance of the Department's decision.

Ruling in Support of the Decision

6. The department did not receive a timely request for reconsideration therefore the decision stands as issued.

2004-02805 OCONNOR, MICHAEL & SHARON
CHESTERFIELD Connecticut River

Requested Action:

Rip-rap approximately 1,300 square feet (130 linear feet) within the bed and bank of the Connecticut River to stabilize a severely eroding segment of riverbank. Project activities also include installation of native vegetation within interstices in the rip rap along the bank.

Conservation Commission/Staff Comments:

CRJC supports plantings with native vegetation. Concerns expressed for potential future erosion along areas not armored. The conservation commission supports the proposed stabilization project.

Inspection Date: 05/04/2005 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Rip-rap approximately 1,300 square feet (130 linear feet) within the bed and bank of the Connecticut River to stabilize a severely eroding segment of riverbank. Project activities also include installation of native vegetation within interstices in the rip rap along

the bank.

With Conditions:

1. All work shall be in accordance with the cross section plans and project description prepared by Ramsey, McLaren dated July 15, 2004 as received by the Department on November 16, 2004 and topographic survey plan prepared by Bell Engineering as received by the Department on June 22, 2005.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
3. The permittee shall notify in writing the NHDES Wetlands Bureau, the Chesterfield Conservation Commission and the Connecticut River Joint Commissions at least 7 days prior to the commencement of project construction.
4. Work shall be conducted during low flow conditions.
5. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. No machinery shall enter the water.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Only clean stone shall be placed below the normal high water level.
9. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
10. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
11. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
12. Precautions shall be taken within riparian areas to limit removal of vegetation to provide temporary construction access.
13. Only native plant species shall be utilized to revegetate the riverbank.
14. A minimum 10 foot no cut buffer shall be established along the top of bank, to exclude areas for access to the river.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in their use.
17. All maintenance and refueling of equipment shall occur at least 100 feet from surface waters or wetlands during construction.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
20. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
21. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project will impact 130 linear feet of a perennial stream in conjunction with the abutting land owners' proposed 235 linear feet of impacts and is therefore categorized as a Major Project, per Rule Wt 303.02(m), for project activities that will disturb a combined 365 linear feet of the bank and bed of the Connecticut River.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 5, 2005. Field inspection confirmed extensive bank erosion resulting in the potential for degradation to the Connecticut River.
6. DES considers this shoreline stabilization project to be a benefit to the Riverine system.
7. The Department finds that installation of stone rip-rap along the eroding riverbank will have the least adverse impact and will provide for the long-term protection.

8. In a letter dated December 22, 2004, the Connecticut River Joint Commissions endorsed the application for the project.
9. The Conservation Commission supports the project.
10. The applicant has adequately addressed the rip-rap requirements of Rule Wt 404.04.
11. The Department waives public hearing with the finding that the proposal will not result in significant adverse impacts to the resources of the Connecticut River.

2004-02806 DAVENPORT, JAMES
CHESTERFIELD Connecticut River

Requested Action:

Rip-rap approximately 2,350 square feet (235 linear feet) within the bed and bank of the Connecticut River to stabilize a severely eroding segment of riverbank. Project activities also include installation of native vegetation within interstices in the rip rap along the bank.

Conservation Commission/Staff Comments:

CRJC supports plantings with native vegetation. Concerns expressed for potential future erosion along areas not armored. The conservation commission supports the proposed stabilization project.

Inspection Date: 05/04/2005 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Rip-rap approximately 2,350 square feet (235 linear feet) within the bed and bank of the Connecticut River to stabilize a severely eroding segment of riverbank. Project activities also include installation of native vegetation within interstices in the rip rap along the bank.

With Conditions:

1. All work shall be in accordance with the cross section plans and project description prepared by Ramsey, McLaren dated July 15, 2004 as received by the Department on November 16, 2004 and topographic survey plan prepared by Bell Engineering as received by the Department on June 22, 2005.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
3. The permittee shall notify in writing the NHDES Wetlands Bureau, the Chesterfield Conservation Commission and the Connecticut River Joint Commissions at least 7 days prior to the commencement of project construction.
4. Work shall be conducted during low flow conditions.
5. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. No machinery shall enter the water.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Only clean stone shall be placed below the normal high water level.
9. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
10. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
11. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
12. Precautions shall be taken within riparian areas to limit removal of vegetation to provide temporary construction access.
13. Only native plant species shall be utilized to revegetate the riverbank.
14. A minimum 10 foot no cut buffer shall be established along the top of bank, to exclude areas for access to the river.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in their use.

17. All maintenance and refueling of equipment shall occur at least 100 feet from surface waters or wetlands during construction.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
20. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
21. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project will impact 235 linear feet of a perennial stream in conjunction with the abutting land owners' proposed 130 linear feet of impacts and is therefore categorized as a Major Project, per Rule Wt 303.02(m), for project activities that will disturb a combined 365 linear feet of the bank and bed of the Connecticut River.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 5, 2005. Field inspection confirmed extensive bank erosion resulting in the potential for degradation to the Connecticut River.
6. DES considers this shoreline stabilization project to be a benefit to the Riverine system.
7. The Department finds that installation of stone rip-rap along the eroding riverbank will have the least adverse impact and will provide for the long-term protection.
8. In a letter dated December 22, 2004, the Connecticut River Joint Commissions endorsed the application for the project.
9. The Conservation Commission supports the project.
10. The applicant has adequately addressed the rip-rap requirements of Rule Wt 404.04.
11. The Department waives public hearing with the finding that the proposal will not result in significant adverse impacts to the resources of the Connecticut River.

**2005-00994 TRAFFORDS RV
CENTER CONWAY Unnamed Wetland**

Requested Action:

Impact 1,800 square feet of wetland and retain 101,585 square feet of previously filled palustrine forested wetland from a former auto salvage yard to re-develop the site for RV sales, offices and maintenance. Mitigate impacts from previous unauthorized filling by restoring 23,259 square feet of wetland and 3,683 of adjacent upland to re-establish lost functions and values.

Inspection Date: 12/09/2004 by Craig D Rennie

APPROVE PERMIT:

Impact 1,800 square feet of wetland and retain 101,585 square feet of previously filled palustrine forested wetland from a former auto salvage yard to re-develop the site for RV sales, offices and maintenance. Mitigate impacts from previous unauthorized filling by restoring 23,259 square feet of wetland and 3,683 of adjacent upland to re-establish lost functions and values.

With Conditions:

1. All work shall be in accordance with revised plans by H.E. Bergeron Engineers dated 06/29/05, as received by the Department on July 5, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for lot 48 (Conway tax map 260) shall contain condition #2 of this approval.
4. This permit is contingent on approval by the DES Site Specific Program.

5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

MITIGATION CONDITIONS:

18. This permit is contingent upon the restoration of 23,259 square feet of wetlands and 3,683 square feet of adjacent upland in accordance with plans received July 5, 2005.
19. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
20. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
21. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
22. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
23. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
24. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
25. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
26. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

With Findings:

1. This is a Major Project per NH Administrative Rule Wt 303.02(c), as wetland impacts are greater than 20,000 square feet.
2. Palustrine-forested wetlands on the southern portion of the property were previously impacted by land clearing and filling (after 1970) to create a vehicle salvage yard.
3. The proposed project is to demolish the former salvage yard and redevelop the site into an RV sales/office/repair facility. The project will include restoring a portion of the previously filled wetlands (23,259 square feet) to replace lost functions from the higher value wetlands that were disturbed.
4. DES held pre-application meetings on November 23, 2004 and December 3, 2004 with the applicant and their engineers to discuss wetland restoration solutions that would satisfy DES requirements from the past unauthorized filling activities.
5. The applicant is proposing to mitigate impacts from previous unauthorized filling by restoring 23,259 square feet of wetland and 3,683 of adjacent upland to re-establish lost functions and values; therefore, the alternative mitigation requirements of Wt 803.06(b) have been met.
6. DES staff inspected the property on December 9, 2004 and found that the majority of wetlands adjacent to the disturbed areas are palustrine-forested wetlands dominated by red maple and white pine. The areas proposed to be restored are adjacent to areas that appear to act as vernal pools and are therefore considered to have greater functions and values associated with them.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
8. Public hearing is waived with the finding that the proposed project will benefit areas under the department's jurisdiction by restoring the more valuable wetlands on-site and by cleaning up an area that was formerly being used as auto salvage yard. In addition, the redevelopment of the site will include stormwater detention and treatment which will ultimately improve site runoff within the Saco River watershed.

2005-01092 CHAMPLIN, VIRGINIA
ROCHESTER Champlin Pond

Requested Action:

Dredge 24,385 sq. ft. and fill 10,225 sq. ft. (7,032 temporary impacts) of palustrine and riverine wetlands to breach / remove two dams and upgrade Whitehouse Road and Rte. 16B crossings of Clark Brook.

Conservation Commission/Staff Comments:

Cons. Comm. recommends approval.

Inspection Date: 04/22/2004 by Gino E Infascelli

APPROVE PERMIT:

Dredge 24,385 sq. ft. and fill 10,225 sq. ft. (7,032 temporary impacts) of palustrine and riverine wetlands to breach / remove two dams and upgrade Whitehouse Road and Rte. 16B crossings of Clark Brook.

With Conditions:

1. All work shall be in accordance with:
 - a. Plan (drawing No.) 1.0 by NHDOT Bureau of Public Works, Edwards and Kelcey, Inc. and GZA GeoEnvironmental, Inc. dated 04/2005 as received by the Department on May 20, 2005;
 - b. Plans (drawing No.) 3.0, 4.0, and 5.0, by Edwards and Kelcey, Inc. dated 04/01/05, as received by the Department on May 20, 2005;
 - c. Plans (drawing No.) 6.0, 6.1, 6.4, 6.5, and 6.6 by Edwards and Kelcey and GZA GeoEnvironmental, Inc. dated 04/12/05 as received by the Department on May 20, 2005;
 - d. Plans by Edwards and Kelcey and GZA GeoEnvironmental, Inc. as received by the Department on June 30, 2005 (drawing No.) 6.2 revised 05/11/05; 6.3, 6.8 and 6.9 revised 06/25/05; 6.7 revised 05/10/05 and 6.10 dated 6/29/05;
 - e. Final Whitehouse Road design to be submitted to the file prior to construction and to include: A culvert span equal or greater

- than bank full width (1.2 or greater preferable) and having a natural channel bottom; Downstream channel stabilization shall incorporate humus in the design; Rip rap design shall include all requirements of Rules Wt 404.04;
- f. Final Rte. 16B Road design to be submitted to the file prior to construction and to include the incorporation of a natural bottom by embedding the culverts;
- g. All modified plans shall have revision dates and
- h. All modified plans shall indicate and identify jurisdictional areas in accordance with the requirements of Wt 301.02.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. This permit is contingent on approval from DES Dam Safety Program.
4. Work to be during late summer through early fall to prevent disruption of Great Blue herons.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Seeding within limited areas adjacent to the stream channel shall be done if necessary and the seed mix shall NOT include Reed Canary Grass.
11. Temporary access road shall be entirely removed upon completion of construction.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c) and (i), alteration of more than 20,000 sq. ft. of impacts to nontidal wetlands and more than 200 linear feet of impact to stream banks and channels.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The project, as approved and conditioned, has met the intent of Rule Wt 302.03 regarding the avoidance and minimization of wetland impacts.
5. DES Staff conducted a field inspection of the proposed property on April 22, 2004. Field inspection determined the property is well managed for forestry purposes and will be beneficial to the public for Conservation as future mitigation for impacts expected on Skyhaven Airport.
6. The Department finds that the dam removals will modify the wetland type from ponds to wet meadows and stream.
7. The design submitted with the application for the culvert outlet at Whitehouse Road impacted 66 linear feet of channel and banks. The plan submitted on June 30 shows the impact to be 218 linear feet. The conditions of approval require resubmittal of both road crossing designs to be more aquatic organism friendly.
8. Inspection finds that there will not be a significant impact on the resources of this palustrine and riverine ecosystem as protected by RSA 482-A and therefore a public hearing is not required.

MINOR IMPACT PROJECT

2004-02776 OLIVER, KENNETH/LAURA
CHESTERFIELD Connecticut River

Requested Action:

Rip-rap approximately 1,500 square feet (150 linear feet) within the bed and bank of the Connecticut River to stabilize a severely eroding segment of riverbank. Project activities also include installation of native vegetation within interstices in the rip rap along the bank.

Conservation Commission/Staff Comments:

CRJC supports plantings with native vegetation. Concerns expressed for potential future erosion along areas not armored. The conservation commission supports the proposed stabilization project.

Inspection Date: 05/04/2005 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Rip-rap approximately 1,500 square feet (150 linear feet) within the bed and bank of the Connecticut River to stabilize a severely eroding segment of riverbank. Project activities also include installation of native vegetation within interstices in the rip rap along the bank.

With Conditions:

1. All work shall be in accordance with the cross section plans and project description prepared by Ramsey, McLaren dated July 15, 2004 as received by the Department on November 16, 2004 and topographic survey plan prepared by Bell Engineering as received by the Department on June 22, 2005.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
3. The permittee shall notify in writing the NHDES Wetlands Bureau, the Chesterfield Conservation Commission and the Connecticut River Joint Commissions at least 7 days prior to the commencement of project construction.
4. Work shall be conducted during low flow conditions.
5. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. No machinery shall enter the water.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Only clean stone shall be placed below the normal high water level.
9. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
10. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
11. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
12. Precautions shall be taken within riparian areas to limit removal of vegetation to provide temporary construction access.
13. Only native plant species shall be utilized to revegetate the riverbank.
14. A minimum 10 foot no cut buffer shall be established along the top of bank, to exclude areas for access to the river.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in their use.
17. All maintenance and refueling of equipment shall occur at least 100 feet from surface waters or wetlands during construction.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
20. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
21. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. The project is categorized as a Minor Project, per Rule Wt 303.03(l), as project activities will disturb approximately 150 linear feet of the bank of the Connecticut River.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 5, 2005. Field inspection confirmed extensive bank erosion resulting in the potential for degradation to the Connecticut River.
6. DES considers this shoreline stabilization project to be a benefit to the Riverine system.
7. The soils at the project site are classified as Monadnock stony fine sandy loam (143B), in which cut banks are considered unstable unless shored up.
8. The Department finds that installation of stone rip-rap along the eroding riverbank will have the least adverse impact and will provide for the long-term protection.
9. In a letter dated December 22, 2004, the Connecticut River Joint Commissions endorsed the application for the project.
10. The applicant has adequately addressed the rip-rap requirements of Rule Wt 404.04.

2004-03087 AHG PROPERTIES INC
BOW Unnamed Wetland

Requested Action:

Dredge and fill a total of 6,281 sq. ft. of wetlands, including 170 linear ft. of intermittent stream to construct a roadway to a 42-unit townhome complex, including the following: fill of 281 sq. ft., and 438 sq. ft., for road slope grading; impact 4,202 sq. ft. and install twin 48" x 80' culverts; impact 1,360 sq. ft. and 170 linear ft. of intermittent stream, and redirect drainage into a 30" x 165' culvert.

Conservation Commission/Staff Comments:

Con. Com. wished to see certain missing wetlands delineated; applicant has done a new delineation which now includes these areas.

APPROVE PERMIT:

Dredge and fill a total of 6,281 sq. ft. of wetlands, including 170 linear ft. of intermittent stream to construct a roadway to a 42-unit townhome complex, including the following: fill of 281 sq. ft., and 438 sq. ft., for road slope grading; impact 4,202 sq. ft. and install twin 48" x 80' culverts; impact 1,360 sq. ft. and 170 linear ft. of intermittent stream, and redirect drainage into a 30" x 165' culvert.

With Conditions:

1. All work shall be based on with wetlands delineation plans by Schauer Environmental dated 5/9/2005, as received by the Department on 6/7/2005, and per plans by Keach-Nordstrom Associates Inc., dated 11/30/2004 received on 12/28/2004.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Culvert outlets shall be properly rip rapped.

12. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq. ft. in the aggregate of non-tidal wetlands that exceeds Wt 303.04(f), and per Wt 303.03(k) projects that disturb between 50 and 200 linear ft. of the channel of an intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. At the request of DES the 1999 wetlands delineation was updated by the applicant in spring 2005, which also addressed Conservation Commission concerns regarding wetlands previously not included, and submitted this in support of the application.
5. Previous enforcement action on this property has been addressed by DES.

2005-00510 UNITY, TOWN OF
UNITY Unnamed Stream

Requested Action:

Dredge and fill 10,030 square feet (to include 4,233 square feet of temporary impacts) in palustrine forested and emergent wetlands and a perennial stream to replace an existing 4'-8" x 7' arch culvert with a 7'-3" x 12'-3" arch culvert to upgrade North Shore Road. Work includes raising the elevation of the road and temporary stream diversion structures.

APPROVE PERMIT:

Dredge and fill 10,030 square feet (to include 4,233 square feet of temporary impacts) in palustrine forested and emergent wetlands and a perennial stream to replace an existing 4'-8" x 7' arch culvert with a 7'-3" x 12'-3" arch culvert to upgrade North Shore Road. Work includes raising the elevation of the road and temporary stream diversion structures.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated May, 2005, as received by the Department on June 27, 2005.
2. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2005-00510 prior to construction.
3. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 square feet of non tidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Project will alleviate hazardous road conditions associated with periodic flooding creating a public benefit.

2005-00511 UNITY, TOWN OF
UNITY Coon Brook

Requested Action:

Replace a failed bridge with a 12'-3" x 7'-3" pipe arch culvert associated with widening of Coon Brook Road impacting 45 linear feet of the bed and banks of Coon Brook. Work includes 1,000 square feet of temporary impacts for stream diversion and 1,250 square feet of permanent impacts for culvert placement.

APPROVE PERMIT:

Replace a failed bridge with a 12'-3" x 7'-3" pipe arch culvert associated with widening of Coon Brook Road impacting 45 linear feet of the bed and banks of Coon Brook. Work includes 1,000 square feet of temporary impacts for stream diversion and 1,250 square feet of permanent impacts for culvert placement.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated March 2005, as received by the Department on April 4, 2005 and stream diversion plans dated May 2005, as received by the Department on June 27, 2005.
2. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
3. There shall be no excavation or operation of construction equipment in flowing water.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of non tidal perennial stream channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Project will alleviate hazardous road conditions associated undersized, failed bridge crossing, creating a public benefit.

2005-00514 PURITY SPRING RESORT
FREEDOM Danforth Pond

Requested Action:

Dredge and fill 4,262 square feet of wetlands and an intermittent stream to expand an existing campground by constructing access roads and an additional 350 campsites.

Inspection Date: 05/04/2005 by Craig D Rennie

APPROVE PERMIT:

Dredge and fill 4,262 square feet of wetlands and an intermittent stream to expand an existing campground by constructing access roads and an additional 350 campsites.

With Conditions:

1. All work shall be in accordance with revised plans by SFC Engineering, as received by the Department on June 23, 2005 and June 30, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

16. Faulty equipment shall be repaired prior to entering jurisdictional areas.

17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

19. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a Minor Project per Administrative Rule Wt 303.03(h), as wetland impacts are less than 20,000 square feet.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. Based on concerns raised by NH Fish & Game Dept., the applicant has provided an 18 foot arch span over Shawtown Brook to avoid impacts to known aquatic resources.

2005-00764 BUSINESS PARTNERS INC
ROLLINSFORD Unnamed Wetland

Requested Action:

Impact 2000 sq. ft. of wet meadow and 90 linear ft. of intermittent stream for the construction of a roadway to access a 6-lot residential subdivision on a 36.89 acre parcel of land.

Conservation Commission/Staff Comments:

Findings & Recommendations from the Rollinsford Conservation Commission: " The RCC views the application favorably as the proposed subdivision would be implemented under the Town's Cluster Subdivision regulations which serve to conserve agricultural and forest lands ..."

Inspection Date: 06/28/2005 by Eben M Lewis

APPROVE PERMIT:

Impact 2000 sq. ft. of wet meadow and 90 linear ft. of intermittent stream for the construction of a roadway to access a 6-lot residential subdivision on a 36.89 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by McEaney Survey Associates dated March 25, 2005, as received by the Department on April 21, 2005.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.

5. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

5. Work shall be done during low flow conditions.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 6/28/05.

2005-00765 88 CAMPBELL ROAD INVESTMENTS LLC
BEDFORD Unnamed Wetland

Requested Action:

Dredge and fill a total of 4,376 square feet of wetlands, including 1,522 sq. ft. to install a 18" x 45' culvert; 1,393 sq. ft. to install a 18" x 51' culvert; and 1,461 sq. ft. to install twin 15" x 46' culverts for three road crossings for access for a 32 lot cluster subdivision on 64.3 acres.

Conservation Commission/Staff Comments:

Con. Com. recommends approval.

APPROVE PERMIT:

Dredge and fill a total of 4,376 square feet of wetlands, including 1,522 sq. ft. to install a 18" x 45' culvert; 1,393 sq. ft. to install a 18" x 51' culvert; and 1,461 sq. ft. to install twin 15" x 46' culverts for three road crossings for access for a 32 lot cluster subdivision on 64.3 acres.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants Inc. dated 4/11/2005, as received by the Department on 4/21/2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Work shall be done during low flow.
8. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
9. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
10. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 square feet in the aggregate in non-tidal wetlands that exceed Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00835 SAN LORENZO REALTY INC
DOVER Unnamed Wetland

Requested Action:

Impact a total of 6,972 square feet of forested wetland including 45 linear feet of impact to an unnamed perennial stream to install a 36"x45' culvert and rip-rap outlet (impacting 1,201 sq.ft.) and twin 30"x34' culverts (impacting 5,770 sq.ft.) for the construction of a roadway, cul-de-sac, and common drive for access to an 11-lot subdivision on a 30.018 acre parcel of land of which 19.62 acres are designated as open space.

Conservation Commission/Staff Comments:

The Dover Conservation Commission submitted a letter of intervention, but did not comment within 40-days.

Inspection Date: 06/13/2005 by Eben M Lewis

APPROVE PERMIT:

Impact a total of 6,972 square feet of forested wetland including 45 linear feet of impact to an unnamed perennial stream to install a 36"x45' culvert and rip-rap outlet (impacting 1,201 sq.ft.) and twin 30"x34' culverts (impacting 5,770 sq.ft.) for the construction of a roadway, cul-de-sac, and common drive for access to an 11-lot subdivision on a 30.018 acre parcel of land of which 19.62 acres are designated as open space.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates PLLC dated March 18, 2005 and revised April 22, 2005, as received by the Department on April 28, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 6/13/05.

2005-00876 DAUTEUIL, DONALD
WOLFEBORO Lake Winnepesaukee

Requested Action:

Permanently remove an existing 6 ft by 30 ft seasonal dock and construct a 6 ft by 50 ft seasonal dock in the same location on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Permanently remove an existing 6 ft by 30 ft seasonal dock and construct a 6 ft by 50 ft seasonal dock in the same location on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans received by the Department on May 3, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. All portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a dock that exceeds Wt 402.01.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES Staff conducted a field inspection of the proposed project on September 8, 2000. Field inspection determined the area does lack sufficient water depth.
5. The extension of the dock will not add boat slips to the frontage.

2005-01172 GALVANI, SHELIA
WOLFEBORO Lake Wentworth

Requested Action:

Construct two 6 ft by 30 ft seasonal piers hinged to a permanent piling supported 6 ft by 24 ft wharf completely over the bank on 205 ft of frontage on Lake Wentworth, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com has concerns about the location of the walkway.

APPROVE PERMIT:

Construct two 6 ft by 30 ft seasonal piers hinged to a permanent piling supported 6 ft by 24 ft wharf completely over the bank on 205 ft of frontage on Lake Wentworth, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated April 22, 2005, as received by the Department on May 31, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. This permit does not allow for the removal of any trees that are not in the immediate footprint.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 3 slip docking facility.

MINIMUM IMPACT PROJECT

2004-02238 ARLINGTON DEVELOPMENT GROUP LLC
GILMANTON Ayers Brook

Requested Action:

Dredge and fill a total of 2203 square feet of palustrine forested and emergent wetland in the subdivision of 160.4 acres into 14 single family residential lots further described as follows: Permanently impact 1193 square feet to expand existing access road and temporarily impact 1010 square feet for installation of a dry hydrant

Conservation Commission/Staff Comments:

The conservation commission has no objections to the impacts but has concerns that the planning board has not approved the subdivision.

APPROVE AMENDMENT:

Dredge and fill a total of 2203 square feet of palustrine forested and emergent wetland in the subdivision of 160.4 acres into 14 single family residential lots further described as follows: Permanently impact 1193 square feet to expand existing access road and temporarily impact 1010 square feet for installation of a dry hydrant

With Conditions:

1. All work shall be in accordance with plan sheets 1-20 by Golde Planning and Design Inc dated August 18, 2004, as received by the Department on September 8, 2004 and Wetland Impact Plan by Golde Planning and Design dated August 24, 2004, and received by the Department on September 20, 2004, and plan sheet 1 of 1 and 3 of 21 by Golde Planning and Design Inc., dated August 24, 2004, as revised through May 31, 2005, as received June 17, 2005, and Subdivision Plans by Turning Point Land

Surveyors dated August 14, 2004, as received by the Department on September 20, 2004.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the Gilmanton Planning Board.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work shall be done during low flow.
9. Prior to commencing work on the dry hydrant, a cofferdam shall be constructed to isolate the work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 25 feet of undisturbed vegetated buffer.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Silt fencing must be removed once the area is stabilized.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This permit is specifically contingent upon approval of the Gilmanton Planning Board in response to the concerns of the Conservation Commission.
6. A condition of the Gilmanton Planning Board approval is for the installation of the dry hydrant in addition to a 30,000 gallon cistern for fire protection.

2005-00273 **BEALE, THOMAS**
HOLDERNESS **Squam Lake**

Requested Action:

Repair an existing storage structure including a 12 ft x 14 ft portion over public waters with associated deck surfaces on approximately 600 ft of frontage on Squam Lake.

Conservation Commission/Staff Comments:

The Conservation Commission did not comment on this application.

APPROVE PERMIT:

Repair an existing storage structure including a 12 ft x 14 ft portion over public waters with associated deck surfaces on approximately 600 ft of frontage on Squam Lake.

With Conditions:

1. All work shall be in accordance with plans sheets 1 and 2 by Innovative Contractors, Titled "2005-00273 Request for Info", as received by the Department on June 17, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during drawdown.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
8. Cofferdams shall not be installed during periods of high water. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
12. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
13. Repair shall maintain existing size, location and configuration, no living quarters shall be introduced within the structure.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. DES conducted a site inspection on March 31, 2005, to determine adjacency to the Prime Wetland, inspection determined that the proposed project is not considered adjacent to the prime wetland. However, a wetland exists adjacent to the structure and construction impacts will be avoided per the contractor.
3. The applicant has provided a signed Shoreland Protection Certification.

2005-00549 VAN WINKLE, PETER
CENTER SANDWICH Unnamed Stream

Requested Action:

Dredge and fill 280 square feet of wetlands to install a 36" x 28' culvert for a driveway stream crossing to access a single family house lot on 54 acres.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

Inspection Date: 04/01/2005 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill 280 square feet of wetlands to install a 36" x 28' culvert for a driveway stream crossing to access a single family house lot on 54 acres.

With Conditions:

1. All work shall be in accordance with plans by Mountain Mapping dated June 2005, as received by the Department on 6/16/2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicle access to a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00612 COOK /DRIVER, JANICE/CECIL
MOULTONBOROUGH Unnamed Wetland**

Requested Action:

Fill 1330 square feet of man made wetland created by a previous violation on the abutting property.

Conservation Commission/Staff Comments:

The Moultonborough Conservation Commission has no objections to the proposed project.

APPROVE PERMIT:

Fill 1330 square feet of man made wetland created by a previous violation on the abutting property.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering, dated November 10, 2004, as received by the Department on April 4, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The Mutual Release and Agreement shall be recorded with the Carroll County Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. The applicant shall notify in writing the DES Wetlands Bureau and the Moultonborough Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
6. Work shall be conducted during low water conditions.

7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the property line to prevent accidental encroachment.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f); Projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The proposed fill will resolve a long standing court case, and order of the Carroll County Superior Court.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided a function and value analysis of the wetland proposed to be filled. The Wetland Scientist concluded the functions of the wetland proposed to be filled are severely limited by size, development, and vegetation type.
5. This wetland is a man made wetland because of a previous violation on the abutting lot.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03, and still allows for reasonable use of the property.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
8. The Moultonborough Conservation Commission has no objections to the proposed project.
9. The Mutual Release and Agreement is a signed notarized document which grants the Cooks permission to fill the wetlands within 20 feet of the abutter's property line in accordance with Wt 304.04, Setback from Property Lines.
10. Filling of the wetland will be approximately 2 ft from the southern abutting property (Moultonborough, Tax Map 28, Lot 25).

2005-00686

WOETZEL, DAVID

BOW Unnamed Wetland Unnamed Stream

Requested Action:

Dredge and fill a total of 1,901 sq. ft. of wetlands to install a 18" x 26' culvert and a 18" x 25' culvert to construct two crossings for construction of a driveway to access a single family lot.

Conservation Commission/Staff Comments:

Con. Com. did not report.

APPROVE PERMIT:

Dredge and fill a total of 1,901 sq. ft. of wetlands to install a 18" x 26' culvert and a 18" x 25' culvert to construct two crossings for construction of a driveway to access a single family lot.

With Conditions:

1. All work shall be in accordance with plans by Bow Mills Land Management dated 4/6/2005, as received by the Department on 4/11/2005.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Culvert outlets shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. Work shall be done during low flow.
9. This permit is contingent on approval by the DES Subsurface Systems Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to construct a vehicular crossing to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00940 HALL, WAYNE
RAYMOND Unnamed Pond

Requested Action:

Maintenance dredge constructed pond of approximately 700 square feet.

APPROVE PERMIT:

Maintenance dredge constructed pond of approximately 700 square feet.

With Conditions:

1. All work shall be in accordance with plans by Wayne Hall dated 5/14/05, as received by the Department on May 16, 2005.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
4. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredging of man-made ponds, that does not exceed 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00982 PJC REALTY CO., INC.
NEWMARKET Unnamed Wetland

Requested Action:

Dredge and fill 971 sq. ft. of a man-made detention pond and replace with an oil/gas/sand trap and an underground stormwater detention system on a 0.928 acre commercial lot.

Conservation Commission/Staff Comments:

No Comments were received by the Newmarket Conservation Commission.

APPROVE PERMIT:

Dredge and fill 971 sq. ft. of a man-made detention pond and replace with an oil/gas/sand trap and an underground stormwater detention system on a 0.928 acre commercial lot.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering, PC dated February 21, 2005 and revised through May 2, 2005, as received by the Department on May 12, 2005.
2. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development or any other construction related activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional palustrine wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01328 DORNER, JOSEPH
CENTER CONWAY Unnamed Stream

Requested Action:

Replace washed-out 16" x 20' culvert on abandoned town road (Crown Hill Road) for access to house.

APPROVE AFTER THE FACT:

Replace washed-out 16" x 20' culvert on abandoned town road (Crown Hill Road) for access to house.

With Conditions:

The emergency authorization was subject to the following conditions:

1. The owner shall submit to the DES Wetlands Bureau pre-construction photos and post-construction photographs within 14 days of the project's completion.
2. The owner shall notify the municipal Conservation Commission and Board of Selectmen prior to the start of work.
3. This form shall be posted at the work site in a location that is visible to the public (to the extent possible).
4. Appropriate siltation and erosion controls shall be utilized.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(x).
2. The project was necessary to provide access to a residence.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on 6/17/2005.
4. Review of the documentation submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

FORESTRY NOTIFICATION

2005-01495 **CELMER, KENNETH**
SALISBURY **Unnamed Stream**

COMPLETE NOTIFICATION:

Salisbury Tax Map 253, Lot#s, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 & 2.7

2005-01526 **ALTON BAY STATE FOREST**
ALTON **Unnamed Stream**

COMPLETE NOTIFICATION:

Alton Alton Bay State Forest

2005-01527 **VENUTI, RICHARD & HEIDI**
GREENVILLE **Unnamed Stream**

COMPLETE NOTIFICATION:

Greenville Tax Map 1, Lot# 58

2005-01531 **PHELPS, JAMES**
DANBURY **Unnamed Stream**

COMPLETE NOTIFICATION:

Danbury Tax Map 416, Lot# 18

2005-01569 **BURNETT JR, JOHN**
DANVILLE **Unnamed Stream**

COMPLETE NOTIFICATION:

Danville Tax map 3, Lot# 6

2005-01574 **BURROWS, CHANNING**
MILTON **Unnamed Stream**

COMPLETE NOTIFICATION:

Milton Tax Map 35, Lot# 34

EXPEDITED MINIMUM

2003-01369 AVERSA, DANIEL
ALTON Unnamed Stream

Requested Action:

Approve name change to: James & Catherine Gregoire, 21 Palmerston Place, Basking Ridge, NJ 07920 per request received 6/08/2005.

Conservation Commission/Staff Comments:

The conservation commission is concerned with the wetland delineation and if this is the least impacting alternative.

Inspection Date: 08/21/2003 by Jocelyn S Degler

APPROVE NAME CHANGE:

Dredge and fill a total of 1131 square feet and install a 30-inch x 20 foot and a 36-inch x 20 foot and restore approximately 1000 square feet of wet meadow for driveway construction to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Tom Varney dated May 22, 2003 and revised through August 3, 2003, as received by the Department on August 25, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
 1. This permit is contingent upon the restoration of 1000 sq. ft. of wetlands in accordance with the approved plans.
4. Area of restoration shall be raked and seeded with an appropriate wetland seed mix and mulched with straw.
5. Work shall be done during no flow conditions.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2005-00598 ENGELWOOD DEVELOPMENT II, LLC, CHRIS STUVART V.P.
HILLSBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill 2,092 square feet of palustrine forested wetlands to construct a common driveway to 2 lots of a proposed 5-Lot subdivision

Conservation Commission/Staff Comments:

The Conservation Commission did not sign the original expedited application.
Conservation Commission submitted a letter of approval on May 6, 2005.

APPROVE AMENDMENT:

Dredge and fill 2,092 square feet of palustrine forested wetlands to construct a common driveway to 2 lots of a proposed 5-Lot subdivision

With Conditions:

1. All work shall be in accordance with plans by Turner Group, sheets 2 and 3, and subdivision plan by Brown Engineering as received by the Department on April 1, 2005 and revised wetland impact plan sheet C-1 revised April 22, 2005, as recieved by the Department on June 29, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low or non flow.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission did not sign the original expedited application.
6. The Conservation Commission submitted a letter of approval.

2005-00628 MORIN REVOC TRUST, KAREN
NEW BOSTON Unnamed Wetland

Requested Action:

Impact 505 square feet of forested wetland and road-side drainage ditch to reconstruct and upgrade Greenfield Road for safe vehicular access to a 5-lot subdivision.

Conservation Commission/Staff Comments:

The New Boston Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 505 square feet of forested wetland and road-side drainage ditch to reconstruct and upgrade Greenfield Road for safe vehicular access to a 5-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Sublime Civil Consultants, Inc. dated November 4, 2005 and revised February 3, 2005, as received by the Department on April 5, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00945 SCRUTON, TODD
STRAFFORD Unnamed Wetland

Requested Action:

Impact 2,951 square feet of forested wetland for the installation of four (4) culverts for a common drive to access two (2) single family residential lots as part of a 2-lot subdivision of 28.92 acres.

Conservation Commission/Staff Comments:

The Strafford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 2,951 square feet of forested wetland for the installation of four (4) culverts for a common drive to access two (2) single family residential lots as part of a 2-lot subdivision of 28.92 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Berry Surveying & Engineering:
 - a.) Proposed Wetland Crossing Plan dated April 18, 2005, as received by the Department on May 10, 2005;
 - b.) Topography Plan dated January 31, 2005 and revised through June 6, 2005, as received by the Department on June 22, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01136 **HOAG, WILLIAM**
HAMPTON **Atlantic Ocean**

Requested Action:

Impact 189 square feet within the 100-foot Tidal Buffer Zone for the construction of a 24'x27'27' addition between the main dwelling and garage on a single family residential lot of 0.53 acres on the Atlantic Ocean with 416 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 189 square feet within the 100-foot Tidal Buffer Zone for the construction of a 24'x27'27' addition between the main dwelling and garage on a single family residential lot of 0.53 acres on the Atlantic Ocean with 416 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by William P. Hoag, as received by the Department on June 29, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. There shall be no further alteration of jurisdictional area for lot development or any other construction related activities.
4. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01282 KARP, JEFFREY & JILL
HOLDERNESS Little Squam Lake

Requested Action:

Temporarily impact 22.5 linear feet of shoreline for the in-kind repairs to an existing boathouse and associated docking structures on Little Squam Lake with 100 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Holderness Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 22.5 linear feet of shoreline for the in-kind repairs to an existing boathouse and associated docking structures on Little Squam Lake with 100 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Samyn-D'Elia Architects dated May 26, 2005, as received by the Department on June 10, 2005.
2. This permit shall not be effective until it has been recorded with the Grafton Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
9. The boathouse ridgeline height shall not change.
10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v) Maintenance, repair, and replacement in-kind of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01330 ROBINSON, ELISABETH
NEW CASTLE Unnamed Wetland

Requested Action:

Dredge 2,760 square feet of wet meadow for the construction of a wildlife pond on a single family residential lot of 2.47 acres.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission Signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge 2,760 square feet of wet meadow for the construction of a wildlife pond on a single family residential lot of 2.47 acres.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated April 2005, as received by the Department on June 16, 2005.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Stockpiled dredged material shall be dewatered in upland areas to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation. Dewatering areas must be located at least 20 feet away from jurisdictional area
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the construction areas during construction and during the early stages of vegetative establishment.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01567 OLSON, ROBIN
(ALL TOWNS) Unnamed Stream

GOLD DREDGE

2005-01566 FAY, TERRY
(ALL TOWNS) Unnamed Stream

2005-01568 FAY, NANCY
(ALL TOWNS) Unnamed Stream

2005-01570 PEDRYS, SCOTT
(ALL TOWNS) Unnamed Stream

PERMIT BY NOTIFICATION

2005-01066 LEACH, KEITH
WAKEFIELD Unnamed Stream

Requested Action:

Replace an existing old stone culvert with a 27.5'x 40' culvert,with silt fence and hay bales culvert disturbance would be 27.5'x 52'total impact would be 1430 sq. ft.

Conservation Commission/Staff Comments:

MAT sent a MIR letter 06/17/05. PBN disqualified, 20 days are up as of 07/07/05.

Mr. Leach sent in material 7/6/05 to address MAT's MIR letter, but was placed on MAT's desk in error.

File was reopened to review new plans.

COMPLETE NOTIFICATION:

Replace an existing old stone culvert with a 27.5'x 40' culvert,with silt fence and hay bales culvert disturbance would be 27.5'x 52'total impact would be 1430 sq. ft.

2005-01372 LYME, TOWN OF
LYME Post Pond

Requested Action:

Beach replenishment for 1800 sq. ft. of beach

COMPLETE NOTIFICATION:

Beach replenishment for 1800 sq. ft. of beach

2005-01485 LATHAM, HOWARD & CATHERINE
NEW DURHAM

Requested Action:

Replace in kind two existing curved concrete retaining walls. One 61 ft the other 31 ft on 113'of frontage. Work to be done during drawdown. Previously issued permit 89-1378 was never acted upon.

COMPLETE NOTIFICATION:

Replace in kind two existing curved concrete retaining walls. One 61 ft the other 31 ft on 113'of frontage. Work to be done during

drawdown. Previously issued permit 89-1378 was never acted upon.

2005-01528 SELIG, DAVID
ALTON Lake Winnepesaukee

Requested Action:

Replace two pilining under and existing docking structure impacting 2 sq. ft.

COMPLETE NOTIFICATION:

Replace two pilining under and existing docking structure impacting 2 sq. ft.

2005-01529 KAMM, KEVIN & K. LAMBERT-KAMM
RINDGE Unnamed Stream

Requested Action:

Construct a driveway with a 36" x 20' culvert in a perenial stream to a single family home impacting 300 sq. ft. of stream

COMPLETE NOTIFICATION:

Construct a driveway with a 36" x 20' culvert in a perenial stream to a single family home impacting 300 sq. ft. of stream

2005-01530 GREENHALAGH, DANIEL
NORTHFIELD Unnamed Wetland

Requested Action:

Construct a driveway with a 15" x 25' culvert(including outlet riprap)to a single family home impacting 125 sq. ft. of wetlands

COMPLETE NOTIFICATION:

Construct a driveway with a 15" x 25' culvert(including outlet riprap)to a single family home impacting 125 sq. ft. of wetlands

2005-01544 HUBBARD BEACH ASSOCIATION
MEREDITH Lake Winnepesaukee

Requested Action:

Replenish beach sand on a 2670 sq. ft. beach not to exceed 10 cubic yards and to be placed above full lake level of 504.32

COMPLETE NOTIFICATION:

Replenish beach sand on a 2670 sq. ft. beach not to exceed 10 cubic yards and to be placed above full lake level of 504.32

2005-01546 BENNETT, CLIFTON
CORNISH Tributary To Mill Brook

Requested Action:

Disqualified PBN based on Wt 506.04(c), Wt 303.04(z) & Wt 303.04(ae). Photos and plans indicate that the stream is greater than 10 feet. No indication that the culvert was the least impacting alternative.

PBN DISQUALIFIED:

Disqualified PBN based on Wt 506.04(c), Wt 303.04(z) & Wt 303.04(ae). Photos and plans indicate that the stream is greater than 10 feet. No indication that the culvert was the least impacting alternative.

**2005-01554 SAINT BENEDICT CENTER, SR CHRISTOPHER MARGARET
WASHINGTON Unnamed Wetland Ashuelot Pond**

Requested Action:

Replace in kind two existing curved concrete retaining walls. One 61 ft the other 31 ft. on 113' of frontage. Work to be done during drawdown. Previously issued permit 89-1378 was never acted upon.

Conservation Commission/Staff Comments:

No ConCom signature

COMPLETE NOTIFICATION:

Replace in kind two existing curved concrete retaining walls. One 61 ft the other 31 ft. on 113' of frontage. Work to be done during drawdown. Previously issued permit 89-1378 was never acted upon.

**2005-01576 DOCKHAM SHORE ESTATES, COREY LOFBLAD, PRES.
GILFORD Lake Winnepesaukee**

Requested Action:

Beach replenishment on two areas totaling 3740 sq. ft. on a total of 124' shoreline frontage. The first area is 70'x 46' totaling 2850 sq. ft., the second is 40'x 29' totaling 890 sq. ft.

COMPLETE NOTIFICATION:

Beach replenishment on two areas totaling 3740 sq. ft. on a total of 124' shoreline frontage. The first area is 70'x 46' totaling 2850 sq. ft., the second is 40'x 29' totaling 890 sq. ft.